



# TECHNICAL ADVISORY COMMITTEE (TAC)

## Meeting Minutes

Office of Spill Prevention and Response  
Sacramento, California



February 21, 2006 10:00 a.m. – 4:00 p.m.

### Attendance:

	<b>TAC members</b>		<b>Agency</b>		<b>Guest</b>
Stephen Ricks	Tracy Egoscue	Linda Scourtis	Steve Sawyer	Dan Donohue, CARB	
Jonna Mazet	Mitchel Beauchamp	Gary Gregory	Joy Lavin-Jones	Eric White, CARB	
Matt Rezvani	Vacant	Ellen Faurot-Daniels	Michele Owens	Floyd Vargara, CARB	
Joan Lundstrom	Vacant	Lisa Curtis	Linda Green	Paul Milkey, CARB	
Linda Sheehan		Bud Leland	Lisa Vandenput	Robin Blanchfield, CARB	
			Marguerite Diaz	Yvonne Addassi, OSPR	
				Marian Ashe, OSPR	
				Paul Hamilton, OSPR	
				Ken Mayer, OSPR	

*The February 21, 2006 Oil Spill Technical Advisory Committee (TAC) meeting at the CA Department of Fish and Game, Office of Spill Prevention and Response, Sacramento, CA was called to order at 10:03 a.m. – Stephen Ricks, Chairperson, presiding.*

### **I. INTRODUCTIONS**

**STEPHEN RICKS (CHAIRPERSON)/TAC**

- ❖ Self introductions: TAC members, Agency participants and guests.

### **II. APPROVAL OF THE MINUTES**

**STEPHEN RICKS (CHAIRPERSON)/TAC**

- ❖ No approval of the minutes

### **III. CARB FUEL SWITCHING RULES (Vote Anticipated)**

**STEPHEN RICKS (CHAIRPERSON)/TAC**

- ❖ Paul Milkey provided a presentation on the California Air Resources Board Regulation for Auxiliary Diesel Engines on Ocean-Going Vessels:
  - Ocean-going vessels are a large source of emissions of diesel particulate matter, nitrogen oxides, and sulfur oxides in California. These pollutants are of concern to the Air Resources Board (ARB) because they cause significant harm to the State's population and its environment. Of particular concern is diesel PM, which ARB has identified as a toxic air contaminant, an air pollutant that contributes substantially to cancer and non-cancer incidences in the State.
  - To estimate the potential localized impacts, ARB staff conducted a health risk assessment for the communities around the ports of Los Angeles and Long Beach. The analysis found high near source risk levels for the communities around these ports. To reduce these impacts, ARB approved the ship auxiliary engine regulation (among other efforts). The regulation was developed in a public process which included five workshops and workgroup meetings, and included input by ship operators, ports, engine manufacturers, government agencies, and environmental and community groups. ARB staff intends to enforce the regulation through inspection of records and fuel sampling and testing, and will seek to coordinate its enforcement efforts with other agencies.
  - Finally, ARB has agreed to add a safety exemption in the regulation which would provide the master of the vessel with a temporary exemption due to a storm, equipment failure, contaminated fuel, or other extraordinary reason beyond his control. The proposed regulation will be released with the safety exemption and other modifications for a 15-day public comment period in early March and is expected to go into effect during the summer of 2006.
- ❖ Joan Lundstrom made the motion that TAC write a letter to CARB regarding concerns about the Fuel Switching Regulations recommending (1) that the regulations be phased in because of concerns for the navigational safety of ships switching fuel at sea and (2) that records be kept of any resulting propulsion failures during this operation and be analyzed and reported. Matt Rezvani seconded the motion. Motion carried unanimously. Steve Ricks suggested Matt Rezvani and Joan Lundstrom draft a letter to circulate to other TAC members for comment.

### **OVERVIEW/DISCUSSION OF AUDIT REPORT ISSUES**

*Mr. Steve Ricks, Chairman  
Facilitator: Ms. Yvonne Addassi*

### **IV. REVIEW OF ISSUES IDENTIFIED IN TAC LETTER**

- ❖ Yvonne Addassi presented an overview of the actions taken on the letter that the TAC sent to the Governor and Legislators. The letter was summarized based on the bullet items from the letter. The letter was divided and itemized into five topics of discussion. The topics are Expenditures; Revenues, fees, and fines; Spill response and other related activities; Inland Spill Program; Administration of the OSPAF.

## V. OSPR RESPONSE PRESENTATIONS ON PROGRAMMATIC PRIORITIES IDENTIFIED

### ❖ Overview of OSPR Priorities:

Bud Leland presented the five areas of priority OSPR requires to achieve response readiness:

- **Inland Spill Pollution Program**- needs a steady funding source  
**Handling of spill response information and spill data collection** – System is 20 years-old needs an overhaul.  
**Drills and Exercise Program** – problems with data collection and data handling; not able to communicate with stakeholders.  
**Budget tracking and fund evaluation need** – working on a means to help the administrator monitor the fund.  
**Scientific Study and Evaluation Program** – need resources

### ❖ Inland Pollution Program Presentation/Summary:

- Captain Paul Hamilton provided a presentation/summary of the Inland Pollution Program. The 207 Fund – The Fish and & Wildlife Pollution Account was established during 80's to provide assistance to the District Wardens, inland spill response coordination, removal of pollutants from the environment, Natural Resource Damage Assessment (NRDA), restoration or rehabilitation of sites and Program management.

Changes came in 1995 when the DFG Director gave inland pollution oversight to OSPR (via MOU). The duties extended to all hazardous materials and pollution incidents that impact State Waters and wildlife.

How the Program works: in general the money comes from the FWPA – 207 Fund which funds a variety of positions, NRDA/economists and lab analysis. In addition, money is allotted to fund clean-ups and pursue criminal or civil cases and cost recovery cases.

How the Program works on an incident: OES/CalTip and miscellaneous environmental task forces pass on incident information to district wardens. The incident may be HazMat, sediment, sewage, dairy/farm wastes, etc. Wardens are dispatched to the incident which begins the response and investigation efforts. Incidents may lead to prosecution civil remedies, NRDA settlements and cost recovery. The paradox is we are unable to recover costs, making it difficult to pursue civilly. Finally, no permanent funding and multiple mandates equal fiscal crisis.

Beyond personnel we are attempting to build a bigger, stronger and healthier inland pollution program by building and renewing relations with allies, identifying and addressing the fiscal issues, recognizing the need for new legislation, by identifying immediate needs, creating ways to fund pollution clean-up, response, investigation, and using alternative prosecution techniques.

The future vision for Inland Pollution Program is to create Statewide Pollution Units (active and reactive), improve spill prevention program coordination with allied agencies (e.g., pipelines & railroads), improve symbiotic relationship with laboratories, investigate all pollution incidents impacting state waters, improve response skills on inland oil & HazMat incidents, continue focus on cost recovery, fines, penalties, and NRDA with legislative support (stalled admin program) develop strong working relationships with the district wardens and marine OSPR units, partner with regions to change culture: "our role as Fish & Wildlife trustee", and finally, obtain a permanent funding base.

### ❖ Handling of Spill Response Information and Spill Data Collection Presentation/Summary:

- Bud Leland provided an update on the Information Technology progress on **Handling of spill response information and spill data collection**. An IT steering committee consisting of 5 OSPR managers was formed. The DMAG sub-committee was also formed to develop a spill data collection tracking system. The tracking system still needs the resources to help design the program. Steve Ricks suggested OSPR keep TAC updated on the progress of obtaining resources for this program. DMAG will meet with the IT steering committee and give a presentation on the data management needs. Matt Rezvani recommended that OSPR give a presentation on the specifics of what the database would cost. Bud Leland commented that the electronic contingency plan submittal is being handled by the Marine Safety Branch and this item will be revisited at a later date.

**V. OSPR RESPONSE PRESENTATIONS ON PROGRAMMATIC PRIORITIES IDENTIFIED (CONT'D)**

❖ **Drills and Exercises Presentation/Summary**

- Marian Ashe provided a presentation/summary of the recommendation of the Drills and Exercises Redesign team. The program proposals were as follows: expanding OSPR attendance at Industry drills, integrating Training and Drills, capturing "Lessons Learned" and establishing a feedback loop to future drills and training, tracking drill credits and assuring all C/Plan requirements are properly tested during 3-year cycle. Enforcing regulatory requirements and identifying regulatory changes that would enhance drill programs. Developing and maintaining a database to track and coordinate drill-related activities and drill statistics.

Other preliminary recommendations were to create a new distinct Drills and Exercises Unit to implement recommendations, statutory and regulatory requirements, and the findings of the DOF audit. D and E unit will also fully integrate the Training Program with the new Unit and expand the Training Program to include on-going ICS training/refresher and cross-training for drills and spill responses. Expand the participation by C-Plan reviewers in drill design and evaluation. Provide for a "cradle-to-grave" approach for drills and exercises to assure lessons learned are incorporated into training, C-plan review and future drill scenarios.

Yvonne Addassi explained the Drills and Exercise flow chart which captured a 3-year cycle.

❖ **Budget Tracking and Fund Evaluation**

- Michele Owens provided a brief update on the status of the funds. It was reported that all the PFAs have been returned, paid back and resolved with exception of the Ballast Water Program. The Department has developed an installment plan where they will not take funds from the current year to pay us back.
- It has been established that OSPR will have privileges and access to the accounting and fund information. One of the methods that have been developed will be to have OSPR sign off on all PFAs. A briefing on the Budget Tracking and Fund Evaluation will become a standard agenda item at every meeting.

❖ **Scientific Study And Evaluation Program (SSEP)**

- ***What is Scientific Study and Evaluation Program (SSEP)***  
Legislation was enacted to support research, investigation, and evaluation of applied oil spill prevention and response programs, best achievable technologies, and adverse effects of oil spills.  
  
Lempert-Keene-Seastrand Oil Spill Prevention Act (1990) directs OSPR to conduct appropriate studies and incorporate findings into oil spill response and prevention projects. SB 849 provides funds for Oil Spill Prevention & Response Research for applied research, response technologies, natural resource monitoring, and enhanced OSPR capabilities.
- ***Future Plans***  
We're making progress and ironing out the bugs in the program. Over the next year or so, we'd like to make a few improvements, including having the sponsors give briefings and presentations – this will not only keep the sponsors on their toes, but probably more importantly it will train, educate staff on "cutting edge" projects, and hopefully stimulate interest in the program. We also plan to add a web page to the OSPR website, prepare an Annual report and clarify the guidance and instructions.

**VI. NEXT STEPS REGARDING AUDIT DECISIONS:                      STEPHEN RICKS (CHAIRPERSON)/TAC**  
(Vote anticipated)

- ❖ It was recommended that a letter be written to Legislature regarding the \$14m excess. Prepare BCPs stating that the TAC would like the funds spent on the OSPR projects.

**VIII. OLD/NEW BUSINESS**

❖ *Action Items:*

- Joan Lundstrom made motion that the TAC write a letter of interest to ARB capturing concerns within the 15 day comment period on the following issues 1) recordkeeping 2) fully supporting the revised Safety Regs and 3) the reporting requirements. Matt Rezvani seconded. Unanimous vote. Steve Ricks suggested Matt Rezvani and Joan Lundstrom draft a letter to circulate to the other TAC members for comment.
- Relating to the Inland Pollution Program TAC will draft a letter to the Director regarding civil penalties and also send another letter to the Legislature in support of any budget action. However, Steve Ricks commented that OSPR should be able to state the cost of what the program is proposing, before the TAC request legislation.
- Tracy Egoscue made a motion that Linda Sheenan will write a letter to the Legislature regarding the \$14M excess which the TAC has examined and agrees with the information presented by OSPR expressing the needs of the program. Matt Rezvani seconded. Unanimous vote.

❖ *Dates and location of 2006 meetings*

- April 18, 2006 - Santa Cruz, CA
- July 25, 2006
- October 24, 2006

**ADJOURN**